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Mark McCowan
Partner
Corrs Chambers Westgarth

By email: mark.mccowan@corrs.com.au

Dear Mr McCowan

Notifications N99531 & N99532 lodged by Muffin Break Pty Ltd and Jamaica Blue Pty Ltd

I refer to the submission in support of the above notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 23 December 2016. They have been allocated the registration numbers N99531 & N99532.

Protection from legal action

The protection from legal action provided by the notifications commences automatically 14 days after the lodgement date, unless the ACCC objects.

On the basis of the information that you have provided, and that the Applicants will disclose all relevant terms and conditions to current and prospective franchisees, the ACCC does not object to the notifications at this time.

If at any time circumstances change, or the ACCC receives further information, such that it is satisfied that the public benefits from the third line forcing conduct do not outweigh the public detriments, the ACCC may remove the protection provided by the notifications.

Request for material to be excluded from the public register

I have considered the Applicants' request that the information marked as confidential in the confidential version of the submission be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 95 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to a notification on the ACCC's public register. The Act provides that a person submitting a document in relation to a notification may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that the confidential version of the submission in support of the above notifications will not be placed on the public register.

I note that you have provided a public version of your clients' submission. This version will be placed on the public register in the form it was provided to the ACCC. This letter and the Form G accompanying each notification will also be placed on the ACCC's public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Fei Wu on (03) 9290 1987.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Jones', with a long horizontal flourish extending to the right.

Gavin Jones
Director
Adjudication